

January 21, 2007

**Chadds Ford Township Board of Supervisors Meeting
January 2, 2007
M I N U T E S**

OFFICIALS PRESENT: Deborah Love D'Elia, Chairman
George M. Thorpe, Vice Chairman
Garry Paul, Supervisor
Kathryn Luce Labrum, Acting Township Solicitor
Joseph A. Mastronardo, Township Engineer
Richard J. Jensen, Building Inspector/CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER

Acting Chairman George Thorpe called the meeting to order at 7:30 PM. The pledge of allegiance was recited. A moment of silence was observed for the passing of President Gerald Ford. Mr. Thorpe identified the two emergency exits.

STATE POLICE REPORT

No report was available.

ORGANIZATION MEETING

APPOINTMENT OF CHAIRMAN OF BOARD OF SUPERVISORS

Acting Chairman Thorpe opened the floor for nominations for the position of Chairman, Board of Supervisors. Mr. Paul nominated Deborah Love D'Elia. There being no others, nominations were closed.

MOTION TO APPOINT CHAIRMAN, BOARD OF SUPERVISORS

Upon motion and second (Thorpe, Paul), the Board of Supervisors appointed Deborah Love D'Elia to serve as Chairman. Mrs. Love D'Elia assumed the Chair.

APPOINTMENT OF VICE CHAIRMAN OF BOARD OF SUPERVISORS

Chairman Love D'Elia opened the floor for nominations for the position of Vice Chairman, Board of Supervisors. Mr. Paul nominated George Thorpe. There being no others, nominations were closed.

MOTION TO APPOINT VICE CHAIRMAN, BOARD OF SUPERVISORS

Upon motion and second (Paul, D'Elia), the Board of Supervisors appointed George Thorpe to serve as Vice Chairman.

APPOINTMENT OF TOWNSHIP OFFICIALS

The Chairman opened the floor for nominations of various Township officials. Mr. Paul made the following nominations:

Township Secretary/Treasurer – Maryann D. Furlong
Code Enforcement/Zoning Officer/Building Inspector – Richard J. Jensen
Fees to be set at:

Zoning	70%
Building	35%
Plumbing	60%
Grading	70%
Well Permits	60%
HVAC Permits	60%
Certificates of Occupancy (w/o permits)	70%
Certificates of Occupancy (w/permits)	35%
Electrical Inspector – Code Inspections, Inc.	
Planning Commission Secretary – Gail G. Force	
Roadmaster – Joseph Barakat	
Fire Marshall – Philip A. Wenrich	

There being no others, nominations were closed.

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MOTION TO APPOINT TOWNSHIP OFFICIALS

Upon motion and second (Paul, Thorpe), the Board of Supervisors appointed the people noted above to serve as the specified Township officials.

APPOINTMENT OF PROFESSIONAL CONSULTANTS

The Chairman opened the floor for nominations of various Township positions. Mr. Paul made the following nominations:

Animal Control Officers – Allen Strickler and David Schlott
Solicitor – Donaghue & Labrum, LLP
Alternate Township Solicitor – Robert L. Pinto, Esquire
Zoning Hearing Board Solicitor – Francis T. Sbandi, Esquire
Professional Consultants:

- Pennoni Associates, Inc. – Township Engineer, specifically Joseph A. Mastronardo, PE
Traffic, Engineering & Landscaping Services
- Pennoni Associates, Inc. – Sewage Enforcement Officer, specifically John Renzo, SEO
- Jim Fritsch, PE, Register Associates – Alternate Township Engineer
- Brandywine Conservancy – Additional Consultant

There being no other nominations, nominations were closed.

MOTION TO APPOINT PROFESSIONAL CONSULTANT

Upon motion and second (Paul, Thorpe), the Board of Supervisors appointed the persons and firms noted above to serve in the specified Township positions.

APPOINTMENTS TO COMMITTEES

The Chairman opened the floor for nominations of various Township positions. Mr. Paul made the following nominations:

PLANNING COMMISSION – terms thru 12/31/2010

- WILLIAM TAYLOR and JOSEPH BARAKAT

SEWER AUTHORITY – term thru 12/31/2010

- PAUL KOCH

ZONING HEARING BOARD – term thru 12/31/2009

- EDWARD WANDERSEE

OPEN SPACE COMMITTEE – terms thru 12/31/2009

- JANET EBERT, LOIS SAUNDERS, DAVID POSTON and KATHLEEN GOODIER

HARB – terms thru 12/31/2011

- ALLISON LEE and CYNTHIA TOBIAS

UCC BOARD OF APPEALS terms thru 12/31/2007

- FRANK LAMANNA, GARY SHARP, JOSEPH VAITES and JEROME HEISLER, Alternate

VACANCY OFFICER – term thru 12/31/2007

- SIG SWENSON

RACHEL KOHL COMMUNITY LIBRARY – term thru 12/31/2010

- JACQUELINE SKURLA

There being no others, nominations were closed.

MOTION TO APPOINT VARIOUS TOWNSHIP COMMITTEE MEMBERS

Upon motion and second (Paul, Thorpe), the Board of Supervisors appointed the people listed above to serve on the specified Township committees.

APPOINTMENT OF TOWNSHIP AUDITOR TO FILL VACANCY

Mr. Paul announced that the Supervisors have accepted the resignation of Township Auditor Fred

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Hodapp. The floor was opened for nominations. Mr. Paul nominated Fred Reiter to fill the remainder of Mr. Hodapp's term.

MOTION TO APPOINT TOWNSHIP AUDITOR

Upon motion and second (Paul, Thorpe), the Board of Supervisors appointed Fred Reiter as Township Auditor to fill the remainder of Mr. Hodapp's term through December 31, 2007.

Mrs. Love D'Elia announced the following liaisons to committees:

Open Space
Sewer Authority
Emergency Preparedness

- Mr. Thorpe, Liason/Mr. Paul, Alternate
- Mr. Paul, Liason/Mr. Thorpe, Alternate
- Mrs. Love D'Elia, Liason/Mr. Thorpe,

Alternate

SCHEDULE OF PUBLIC MEETINGS FOR 2007

Proposed meeting dates for the Supervisors and all Township Committees were circulated for review. Chairman Love D'Elia reviewed dates that were exceptions to the norm. A copy of the schedule follows the minutes.

MOTION TO APPROVE PUBLIC MEETING DATES FOR 2007

Upon motion and second (D'Elia, Paul), the Supervisors approved meeting dates for 2007.

ADOPTION OF RESOLUTIONS

RESOLUTION 2007-1 DESIGNATION OF OFFICIAL DEPOSITORIES

Upon motion and second (Thorpe, Paul), the Supervisors designated Commerce, Sovereign and First Keystone Federal Banks as official depositories for Township funds.

RESOLUTION 2007-2 COUNTY AID RESOLUTION

Upon motion and second (Thorpe, Paul), the Supervisors approved the application to Delaware County for County Liquid Fuel funds for the 2007 Road Program.

RESOLUTION 2007-3 CONCORDVILLE FIRE 2007 CONTRACT

Upon motion and second (Thorpe, Paul), the Supervisors approved the annual agreement between Chadds Ford Township and Concordville Fire and Protection Services.

RESOLUTION 2007-4 APPOINTMENT OF CERTIFIED PUBLIC ACCOUNTANT TO AUDIT YEAR 2006 FINANCIAL RECORDS

Upon motion and second (Thorpe, Paul), the Supervisors appointed the firm of MervesAmon&Barz as Township auditors for the purpose of conducting the Township and Tax Collector's audit for fiscal year 2006.

RESOLUTION 2007-5 TOWNSHIP FEE RESOLUTION

Upon motion and second (Thorpe, Paul) the Supervisors adopted a revised Fee Schedule with a correction made to page 3.

DESIGNATION OF DELEGATE TO ANNUAL PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS ANNUAL CONFERENCE

Upon motion and second (Paul, Thorpe), the Supervisors appointed Deborah Love D'Elia as Township delegate to the Annual PSATS Conference.

The Treasurer's Bond has been established at \$900,000.

THE ORGANIZATION PORTION OF MEETING WAS CONCLUDED.

MOTION TO APPROVE SUPERVISORS MINUTES OF DECEMBER 6, 2006

Upon motion and second (Paul, D'Elia), the minutes of the December 6, 2006 meeting were

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approved.

REPORTS **SUPERVISORS**

Mr. Thorpe reported that there have been complaints regarding the size of parking spaces at the Chadds Ford Village shopping center. After discussion, the Township Engineer was directed to have Pennoni Associates survey the area to determine if parking slots meet requirements of Township ordinances.

Supervisors met during December on the following dates:

- on Friday, December 15th to discuss Township personnel issues and to discuss fire hydrant tax issues with the Township Tax Collector.

A public meeting was held on Friday, December 15, 2006 with Verizon representatives to discuss a franchise agreement. An agreement was reached whereby the whole community will have service available within the next three years.

TREASURER'S REPORT

The Treasurer reported the following figures for the month of December, 2006:

Total deposits to General Fund:	\$	73,031.24
Total disbursements General Fund:	\$	79,922.32
Cash Accounts Balances	\$	1,836,633.52

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (Thorpe, D'Elia), the Supervisors approved the Treasurer's Report for December, 2006, and authorized payment of bills in the amount of \$79,922.32.

FIRE MARSHALL REPORT

No report was available.

ROADMASTER'S REPORT

Roadmaster Joe Barakat presented the December report. A copy follows the minutes.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen presented the Building Inspector/Code Enforcement Officer's report for the month of December, 2006.

TOWNSHIP ENGINEER REPORT

Joseph Mastronardo thanked the Board for reappointing Pennoni Associates as Township Engineer. The Engineer's report for December, 2006 was presented. A copy follows.

The corner parking lot for the Chadds Ford Inn was discussed. Supervisors concurred that plans need to adhere to what was approved. Traffic circulation on the plan as submitted was not acceptable to the Township Engineer. Township officials met with the applicant and PennDOT in October, 2006 regarding the area. PennDOT has made a number of requests for traffic controls at the intersection of Creek Road and Route 1 and is looking for concurrence from the Township. The Supervisors agreed with PennDOT's suggestions. A dedicated left turn lane on Creek Road would be supported by the Board. Local residents are concerned with traffic stacking in front of their properties. If applicant requests any significant deviations from the approved resolution further approval from the Board will be required.

Mr. Mastronardo recommended the Supervisors adopt two resolutions reaffirming acceptance of deeds of dedication for Kelly Drive and Carnation Lane in order to meet PennDOT requirements to be added to the liquid fuel allotment for 2008.

MOTION TO APPROVE RESOLUTION 2006-6 KELLY DRIVE

Upon motion and second (Thorpe, Paul), the Board of Supervisors reconfirmed the acceptance of the Deed of Dedication for public ownership of a portion of Kelly Drive.

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MOTION TO APPROVE 2006-7 CARNATION LANE

Upon motion and second (Thorpe, Paul), the Board of Supervisors reconfirmed the acceptance of the Deed of Dedication for public ownership of a portion of Carnation Lane.

Mr. Mastronardo recommended final release of the improvement security escrow for the Osborne Place Associates project on Atwater Road.

MOTION TO APPROVE ESCROW RELEASE #2 FINAL – OSBORNE PLACE ASSOCIATES, Inc.

Upon motion and second (Thorpe, Paul), and recommendation of the Township Engineer, the Board of Supervisors approved escrow release #2, final, for Osborne Place Associates, Inc. in the amount of \$80,204.38. The original letter of credit will be returned to the developer's bank.

PLANNING COMMISSION

Mr. Taylor, Planning Commission Chairman, reported on the meeting of Wednesday, December 13, 2006. A draft of the minutes follows.

Chairman Love D'Elia thanked Fred Reiter for his many years of service to the Township as a Planning Commission member.

ZONING HEARING BOARD

The application of T-Mobile, scheduled for December 12, 2006, has been continued at the applicant's request.

First Keystone Bank has filed an application for new signage. Mr. Jensen summarized the application for the Supervisors adding that any change would also need to be reviewed by HARB.

Supervisors decided that Mr. Donaghue will not be required to attend the hearing on behalf of the Township.

SEWER AUTHORITY

Vincent DelRossi reported on Sewer Authority activities including DELCORA operations, financing options with PennVEST and DRFA, and DEP permits.

OPEN SPACE

Debbie Reardon presented a report for activities during the month of December. Chariman Love D'Elia thanked Mrs. Reardon for her hard work in organizing the public meeting of December 4th.

HARB

A Certificate of Appropriateness was submitted for new signage at the Chadds Ford Village Shopping Center. HARB members reached decisions on colors and internal illumination, conditioned upon the degree of illumination. Wooden posts with caps were requested.

Mrs. Love D'Elia questioned how and who should determine the brightness of the internal illumination of the sign. Both the Building Inspector and Supervisors will approve the degree of illumination.

MOTION TO APPROVE CERTIFICATE OF APPROPRIATENESS FOR THE KEYSTONE BANK SIGN

Upon motion and second (Thorpe, Paul), the Board approved the Certificate of Appropriateness with the stipulation that the intensity of the lighting needs to be determined and approved by Building Inspector in concert with the Board.

PUBLIC COMMENT

Debbie Reardon, Tally Ho Drive, had a question regarding sign permits.

Fred Reiter, Atwater Road, asked if moving words on illuminated signage is permitted in the Township. Mr. Jensen replied that nothing that twinkles or blinks is permitted.

Ed Wandersee, Walnut Ridge Road, thanked the Board for their actions regarding the Verizon franchise agreement.

Peter Skidais, proprietor of Hank's Place, commented on the proposed traffic patterns being proposed at the Chadds Ford Inn site and was concerned that such might be problematic to customers

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entering and exiting his restaurant. Traffic currently backs up on Route 100 to the Chadds Ford Historic Society building and this may worsen. Mr. Skidais hopes PennDOT will protect drivers by insuring a safe situation. Contact names at PennDOT will be provided for any resident who wishes to make comments. Mr. Prabel further suggested that PennDOT move the 45 MPH speed limit further north on Route 1 from the Village area to the entrance of the Brandywine Battlefield.

OLD BUSINESS

PAINTER'S CROSSING CONDOMINIUM ASSOCIATION EASEMENT FOR THE LOOP ROAD

Mr. Thorpe reported that owners of properties along the proposed extension of the Loop Road continue to meet in efforts to complete that section. A small portion of land owned by Painters Crossing Condominium Association lies underneath the right-of-way and an easement must be granted the Township so that it may be used as a public highway.

AUTHORIZATION FOR CHADDS FORD TOWNSHIP TO ACCEPT EASEMENT FOR LOOP ROAD RESOLUTION 2007-8

Upon motion and second (Paul, Thorpe), the Board of Supervisors adopted Resolution 2007-8, authorizing the Chairman to accept in-fee-simple and/or as an easement from Painters Crossing Condominium Association for the land beneath the right-of-way of the proposed Loop Road to be used as a public highway.

NEW BUSINESS

HEEBNER LOT LINE CHANGE APPLICATION

James E. Fritsch, PE, Register Associates, representing the applicant, briefly reviewed the application for a minor lot line change on the 3.35 acre property located on the south side of Murphy Road. There is no proposed construction. Applicant has received Planning Commission's recommendation of approval. John Renzo, Township Sewage Enforcement Officer, has visited the site and executed the non-building waiver. Mr. Mastronardo stated this is a fairly simple application and had no objection to approval.

MOTION TO APPROVE HEEBNER FINAL MINOR SUBDIVISION APPLICATION – RESOLUTION 2007-10

Upon motion and second (Thorpe, Paul) the Board of Supervisors approved the final minor subdivision application of Karen Heebner for the 3.35 acre property located on the south side of Murphy Road for a lot line change to include an additional .884 acres in the applicant's lot, subject to compliance with the two conditions and five waivers as included therein.

MacDONALD'S ZONING HEARING BOARD APPLICATION PRESENTATION

Les Dukart, owner of the McDonald's at Christie Drive and Route 202, with Michael Gill, Esquire and Michael Jeitner, PE, presented a proposal for modifications to the current

structure. Applicant proposed construction of a 72 square foot addition along the drive thru lane for a two stage payment and delivery method; the installation of an ADA compliant wheelchair ramp, and enlargement of the existing play place area. Applicant is also proposing new signage in conjunction with the recent redesign suggested by the parent corporation. Application has been made to the Zoning Hearing Board regarding the signage. Relief will be required for additional signage and the setback from Route 202.

Ground lights are proposed. Chairman Love D'Elia asked how the new illumination compares to what exists today. Mr. Jeitner stated the light level increase would be extremely marginal, however, applicant will provide more detailed information.

Mr. Paul questioned the effect on parking. The site is well within required number of parking spaces, problems with specific parking areas opposite the drive thru window were discussed. Mr. Dukart suggested making the two end spots drive thru area parking spots to be designated with striping.

Mr. Thorpe asked if the applicant would consider placing low shrubs along Route 202 to buffer the parking area. Mr. Dukart offered to look into that suggestion. The forthcoming land development application may also come into play with the area along Route 202.

Board members saw no need to send the Township Solicitor to oppose the application.

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APPOINTMENT OF TOWNSHIP LIASON FOR BERKHEIMER ASSOCIATES

Berkheimer Associates will be collecting the recently enacted Emergency Services and Business Privilege taxes for the Township. They have asked the Township to appoint a liason for the purpose of handling funds and confidential information.

MOTION TO APPOINT TOWNSHIP LIASON TO BERKHEIMER ASSOCIATES – RESOLUTION 2007-9

Upon motion and second (Thorpe, Paul), the Board of Supervisors appointed Township Secretary Maryann Furlong as the Township liason to Berkheimer Associates for the purpose of handling funds and confidential information.

There being no further business, the meeting was adjourned at 9:42 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary